THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 10678 of 2007

Date:23-07-2007

Between:

Burugupalli Shivarama Krishna ..
PETITIONER

AND

The Commissioner of Police, Cyberabad and five others
..
RESPONDENTS

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ORDER:

The petitioner seeks a writ of mandamus to declare the action of the respondents 1 to 3 in harassing the petitioner and his family members to settle the dispute in favour of the
respondents 4 to 6 in respect of lands in Sy.Nos.262 to 274 of Puppalguda village, Rajendranagar mandal, Ranga Reddy District, as illegal and arbitrary.

It is the case of the petitioner that he along with others are the owners and possessors of the agricultural land in
Sy.Nos.262 to 274 ad-measuring Ac.39.00 guntas situated at Puppalguda village, Rajendrangar mandal, Ranga Reddy District by virtue of various registered sale deeds having purchased the same from its original owners and pattedars and the
respondents 4 to 6 have also entered into agreements of sale with the petitioner and in respect of the said sale transactions, some disputes arose between them and in that connection a complaint made by the 4th respondent before the third respondent, the police were attempting to arrest the petitioner. It is stated that the petitioner surrendered and obtained bail from the Criminal Court and thus the case of the petitioner is that the respondents 1 to 3 are harassing him and his family members for settling the disputes with regard to the immovable properties with the respondents 4 to 6.

A counter has been filed by the 3rd respondent stating that on a complaint made by the 4th respondent with regard to the action of the petitioner in not registering the sale deeds, a case in Crime No.113 of 2007 was registered on 11.04.2007 for the offence punishable under

Section 420 I.P.C. by the 3rd respondent and the investigation is pending. It is stated that the petitioner also surrendered before the VIII Metropolitan Magistrate, Rajendranagar on 19.04.2007 and was released on bail.

As the petitioner has already been released on bail, I am of the opinion that it cannot be just and proper to express any opinion with regard to filing of the complaint in respect of civil disputes between the parties. The matter is pending investigation and this Court by order dated 09.07.2007 has already directed the third respondent to complete the investigation, but however, without arresting the petitioner.

Having regard to the facts of the case, the writ petition is disposed of directing the third respondent to file the final report as expeditiously as possible. No costs.

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V.ESWARAIAH, J.

Date:23.07.2007
ccm